

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 23, 2001

DIVISION TWO

Court convened at 9:00 A.M.

Present: Boren, P.J., Nott, J., Cooper, J., Todd, J. and G. Villanueva, Deputy Clerk.

Each of the following:

B135888 Colen v. Global Investments

B138649 Colen v. Global Investments

Argument waived, cause submitted.

B139141 West Century 102 Ltd.
 v.
 Inglewood Redevelopment Agency

Merits:

Argued by George Coleman for appellant and by Edwin Lewis for respondent. Cause submitted.

B142000 People
 v.
 Alejandro Renteria et al.

Merits:

Argued by Maxine Weksler for appellant and by Michael Johnsen, deputy attorney general, for respondent. Argument waived as to appellant Javier Renteria. Cause submitted.

DIVISION TWO (Continued)

B134874 Leader
 v.
 Health Industries of America

Merits:
Argued by Michael McEntee for appellant and by Thomas Bolan for respondent. Cause submitted.

B136491 Valencia Company
 v.
 McCarthy

Merits:
Argued by Marianne Fratianne for appellant and by Raymond Myer for respondent. Cause submitted.

B139784 Harris
 v.
 L.A. Community Hospital

Merits:
Argued by Emmanuel Akudinobi for appellant and by Benjamin Blady for respondent. Cause submitted.

B126128 Clay
 v.
 Neal

Merits:
Argued by Jeff Price for appellant and by J. Alan Warfield for respondent. Cause submitted.

Court adjourned.

DIVISION THREE

B140925 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Brian C., et al.

In this case, the best interest of Rebecca requires that the court allow full evidentiary hearings so that it may make informed decisions about Rebecca's future. We express no opinion regarding how the court should rule once it has afforded all parties these full evidentiary hearings. The order denying de facto parent standing is reversed. The order denying the C's section 388 petition is reversed. The order denying the bonding study is reversed. The order regarding visitation is reversed. The judgment (order terminating Mother's parental rights) is reversed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B127484 People (Not for Publication)
v.
White, Mbagwu and Day

The judgments as to defendants Day and Mbagwu are affirmed. The judgment as to defendant White is affirmed as modified. White's abstract of judgment shall be corrected in conformance with this opinion, and the trial court is directed to prepare an amended abstract of judgment reflecting this modification and forward it to the Department of Corrections.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

[illegible]

The order appealed from is reversed.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Fidler, J. (Assigned)

B139420 People (Not for Publication)
v.
Lopez

The judgment is modified by imposing a \$10,000 suspended parole revocation fine pursuant to Penal Code section 1202.45. The Clerk of the Superior Court, upon issuance of the remittitur, is ordered to correct the abstract of judgment to reflect the imposition of the suspended parole revocation fine and to forward a corrected copy to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Fidler, J. (Assigned)

B139863 People (Not for Publication)
v.
Porcaro

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

March 23, 2001-Continued

DIVISION THREE (Continued)

[illegible]

The judgment (order entering judgment and granting probation) is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B143204 People v. Castro (Not for Publication)

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B145488 E.T. Legg & Associates (Not for Publication)
v.
Superior Court, Los Angeles County
(Gill, r.p.i.)

The Court:

Let a peremptory writ of mandate issue directing respondent to vacate its minute order of October 3, 2000, and to thereafter reconsider defendants' motions and fully determine those motions on material grounds stated in compliance with Code of Civil Procedure section 437c. subdivision (g). Petitioners are awarded their costs pursuant to California Rules of Court, rule 56.4.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

DIVISION FOUR (Continued)

B144147 Sawyer (Not for Publication)

v.

Superior Court, Los Angeles County
(Continental Assurance, r.p.i.)

The order to show cause, having served its purpose, is discharged. A petition for writ of mandate shall issue directing respondent court to set aside its order dated August 9, 2000, granting summary adjudication to defendants on Sawyer's claim for punitive damages. A new order is to be entered denying summary adjudication on punitive damages. The temporary stay is lifted. Sawyer is to recover her costs incurred in connection with these extraordinary writ proceedings in accordance with rule 56.4 of the California Rules of Court.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

B134941 Cox (Not for Publication)

v.

Shields

The judgment is reversed and the matter remanded to the trial court for a new trial. Costs are awarded to appellants.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

DIVISION FOUR (Continued)

B139470 Sedaghat (Not for Publication)
 v.
 Molayem

The order of dismissal is reversed. Costs on appeal and additional costs as indicated in this opinion are awarded to appellant.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Hastings, J.

B141916 Ecker (Certified for Publication)
 v.
 Raging Waters Group

The judgment is reversed and the matter is remanded to the trial court for further proceedings consistent with this opinion. Appellant Gordon Ecker is to recover his costs on appeal.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Hastings, J.

B139852 Sanwa Bank California (Certified for Publication)
 v.
 Chang

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
 Hastings, J.

March 23, 2001-Continued

DIVISION FOUR (Continued)

B137081 Maxson (Not for Publication)
v.
Southern California Edison Company

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B143213 Springate (Not for Publication)
v.
Murphy

The judgment is affirmed. Respondent(s) to recover costs.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B143735 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Gabriel M.

The order terminating parental rights is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

March 23, 2001-Continued

DIVISION FOUR (Continued)

B140708 D.C.F.S. (Not for Publication)
v.
Diane H.

The order terminating jurisdiction is reversed and the cause remanded for the evidentiary hearing requested by appellant.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B137087 People (Not for Publication)
v.
Ly

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

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The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

March 23, 2001-Continued

DIVISION FIVE

B143829 Massey Chevrolet Inc.
 v.
 Neal Hassan

Filed order denying petition for rehearing.